

JAMES YOUNG, CLERK OF THE COMMITTEE OF CLAIMS.

LETTER

FROM THE

CLERK OF THE HOUSE OF REPRESENTATIVES,

TRANSMITTING

A report of a committee of the 27th Congress, relative to the employment of a clerk, in answer to a resolution of the House of the 23d instant.

JANUARY 24, 1844.

Read, and referred to the Committee on Retrenchment.

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES U. S.
January 24, 1844.

SIR: In answer to the resolution of the House of yesterday, directing the Clerk "to report the amount paid from the contingent fund thereof to James Young, for services as clerk of the Committee of Claims, from the close of the 2d session to the commencement of the 3d session of the 27th Congress, and from the close of the 27th Congress until the commencement of the present session; by what authority he has been paid; what services he rendered; and whether he is now under the pay of the Government;" I have the honor to state, that for the 95 days (between the 2d and 3d sessions of the 27th Congress) James Young received \$4 per day as clerk of the Committee of Claims

- - - - - \$380 00
And from the close of the 27th Congress to the commencement of the present session, he received \$125 per month, (9 months,) \$1,125 00

On the 21st day of December, 1842, Mr. Giddings, from the Committee of Claims, reported the following resolution:

"*Resolved*, That the Committee of Claims be authorized to continue in employment their clerk, at the compensation heretofore allowed him, until the further order of the House."

The resolution was amended by striking out the words "until the further order of the House."

A motion was made by Mr. Turney further to amend the resolution, by striking out the words "continue in employment their clerk," and inserting, in place thereof, the words "employ a clerk."

Which motion was disagreed to by yeas and nays: yeas, 98—nays, 101.

The resolution, as amended, was then agreed to.

The refusal of the House to strike out the words "*continue in employment their clerk*," and insert "*employ a clerk*," was construed, both by the Committee of Claims and the Committee on Accounts, as a recognition by

the House of a clerk to the Committee of Claims during the recess between the 2d and 3d sessions of the 27th Congress; and, under this construction, the Committee on Accounts of the House ordered the clerk to be paid.

On the 18th of February, 1843, the House passed the following resolution:

Resolved, That the Committee of Claims be authorized to employ a clerk, annually, from the end of the present session of Congress, to be paid monthly by the Clerk of the House, out of the contingent fund, such compensation as shall be fixed by the committee, not exceeding that allowed to engrossing clerks of this House."

The Committee of Claims, under the authority of this resolution, fixed the pay of their clerk at \$125 per month; which sum has been, and is now, paid him monthly by the Clerk. The services rendered by Mr. Young are set forth in the report of the Committee of Claims of May 25, 1842, (No. /89,) a copy of which accompanies this communication.

Very respectfully, your obedient servant,

C. J. McNULTY,

Clerk of House of Representatives U. S.

The SPEAKER of the House of Representatives.

MAY 25, 1842.

Mr. COWEN, from the Committee of Claims, submitted the following

REPORT:

The Committee of Claims beg leave to present to the consideration of the House some matters which they deem important in facilitating the transaction of the future business of the committee and of the House, and to a proper economy of the time of Congress, as well as of the funds of the nation.

From the nature and extent of the duties imposed upon the Committee of Claims; the great variety of claims presented for their examination at each session of Congress; the diversity of principle on which these claims rest; the great number pressed upon their attention from session to session, not having the slightest foundation in justice or equity, yet pressed, in many cases, with untiring zeal,—it requires the utmost vigilance on the part of the committee to protect the public treasury from unjust draughts upon it, and at the same time to avoid doing injustice to claims of merit.

The Committee of Claims commenced a record of all their reports and decisions in the month of November, A. D. 1794, at the 2d session of the 3d Congress; since which time it is believed that all reports and decisions of that committee have been recorded. The committee then had jurisdiction of all the subjects now assigned to the Committees of Claims, on Revolutionary Claims, on Revolutionary Pensions, on Public Lands, and on Private Land Claims. The great amount of claims passed upon by them generally led to the adoption of principles, by which nearly all matters which come before them are decided. It was, however, a matter of great labor to become acquainted with those principles, inasmuch as they were

scattered through a vast number of record books, (now fourteen volumes in all,) comprising nearly ten thousand large folio pages. It was therefore the labor of years for a member to make himself acquainted with the principles which have governed the committee in their practice; yet this information was necessary, in order to preserve uniformity in their decisions.

Feeling the great importance of acting at all times in strict accordance with established precedents, and under an accumulation of business, the committee, at the suggestion of their then able chairman, (Elisha Whittlesey,) employed a clerk in the fall of 1836, with the consent of Mr. Franklin, the then Clerk of the House, to keep a record of their proceedings; to make and keep up an abstract or digest of their manuscript reports, with an index to the subject-matter of each, classified in such a manner as to afford a ready reference to the principles upon which each decision has been made; to record their reports, when made, as a means of becoming familiar with them; to keep an indexed record of their correspondence with the departments, calling for information; to file and keep their papers in order; to copy their reports, when erasures or interlineations are made; and to make abstracts of cases for the members, by which the action of the committee may be facilitated, and their labors lessened.

This work has been performed by the clerk, under the inspection of the committee. The labor was one of great magnitude, and required great care and research; and his time has been constantly and laboriously spent ever since he was employed, in 1836, (when not doing other writing for the committee,) in condensing said reports, and making abstracts thereof, many of which are only to be found in manuscript. He has now completed a digest of all the decisions and reports of the committee, from November, 1794, up to the commencement of the present Congress, and it is believed that he may have the whole arranged and printed by the first of December next.

The work, when printed, will form a volume of probably four hundred and fifty pages *octavo*, and will cost not far from \$-—. This work, when in the hands of the members, will inform them of the principles which have guided the committee in passing upon every subject that has heretofore come before them; and will also show at once the manner in which each case has been disposed of, and the reasons for its support or rejection. The propriety or impropriety of the recommitment of cases already passed upon will appear to the member who may have such case in charge. Its principal benefits, in the opinion of the committee, will be derived from the facility it will give to the transaction of business upon the private calendar; the aid it will lend to the various committees; and its tendency to create uniformity in the decisions of the committees and the legislation of the House, on all matters of claim.

When a case shall be reported upon, the precedent on which it is founded will be cited, and each member, without delaying the House, will be enabled to determine on the propriety of the bill on which he is called upon to vote.

The committee feel warranted in these expressions of confidence in said reports, from the high character given to them by the labors and talents of several of the former chairmen and members of the Committee of Claims. Their great research and laborious examination of documents, debates, and journals, (in which they have consulted the views and principles laid down in relation to the obligations of Government to pay for property lost,

captured, or destroyed, while in the military service of the United States, by Alexander Hamilton, James Madison, and others,) have enabled them to reduce the business of said committee in a great degree to a system which, if continued, they feel confident will prove of great utility to the public.

The expense of preparing the work has been already incurred. The cost of printing, in the opinion of the committee, will be trifling, when compared with the time it will save to the House at each session of Congress; and of still less importance, when compared with the other advantages herebefore enumerated.

With these views, the committee recommend to the House the adoption of the following resolutions:

Resolved, That the Committee of Claims be authorized to employ a clerk until the end of the present Congress; and that he be paid by the Clerk of the House, monthly, such sum as may be fixed by the committee, not exceeding that allowed to engrossing clerks of the House.

Resolved, further, That the clerk to the Committee of Claims be directed to have the digested index and abstract of reports of said committee, compiled by him, printed by the House printer, under his supervision, at as early a day as may be convenient; and that no additional pay be allowed to such clerk for his services in compiling or superintending the printing of said digest.